

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: **Kwok-Leung (Jacky) Au-Yeung and Lee B. Bussey**

For: **"Apparatus and Method for Preparative Scale Purification of Nucleic Acids"**

Attorney Docket No.: **213-0084WO**

Declaration submitted with initial  
filing

Declaration submitted after initial filing  
(including surcharge under 37 CFR 1.16(e))

**DECLARATION AND POWER OF ATTORNEY**

AS A BELOW NAMED INVENTOR, I HEREBY DECLARE THAT:

1. My residence, post office address, and citizenship is as stated below next to my name.
2. I believe I am the original and first inventor of the subject matter that is claimed and for which a patent is sought on the above styled invention, the specification of which:

is attached hereto, OR

United States Prov. Application No. 60/410,617 filed on 09/13/2002  
and PCT International Application Number PCT/03/ 28759 filed on 09/12/2003  
and was amended on \_\_\_\_\_ (*if applicable*).
3. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.
4. I acknowledge the duty to disclose information that is material to the patentability of this application as defined by Title 37, Code of Federal Regulations, §1.56, including for continuation-in-part application, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.
5. I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application that designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

**NONE**

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

**60/410,617, filed on 09/13/02 in the USPTO**

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DECLARATION AND POWER OF ATTORNEY

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6. I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or 365(c) of any PCT International application designating the United States of America, listed below. I further hereby authorize the legal practitioner(s) hereby to insert in this declaration the serial number(s) of any PCT application described below if not known at the time this declaration is executed.

Application No: PCT/03/ 28759

Inventors: Kwok-Leung (Jacky) Au-Yeung and Lee B. Bussey

Entitled: Apparatus and Method for Preparative Scale Purification of Nucleic Acids

Filed: 09/12/2003

Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in §1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application.

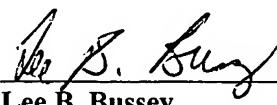
7. I hereby appoint all of the registered practitioners identified by Customer Number 25746 my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty.

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8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

*B*  
*V*  
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